

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

MICHAEL E. MABRY §
VS. § CIVIL ACTION NO. 4:10cv520
TDCJ §

ORDER ADOPTING REPORT AND RECOMMENDATION

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Don D. Bush who issued a Report and Recommendation concluding that the action should be dismissed without prejudice for failure to prosecute and failure to obey an order pursuant to Fed. R. Civ. P. 41(b) and Rule 41, Local Rules for the Eastern District of Texas. No objections thereto having been timely filed, the court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the court. It is therefore

ORDERED that the Plaintiff's above-captioned action is hereby **DISMISSED** without prejudice for failure to prosecute and failure to obey an order of the court. It is further
ORDERED that any motion not previously ruled on is **DENIED**.

SIGNED this the 23rd day of August, 2013.



RICHARD A. SCELL
UNITED STATES DISTRICT JUDGE